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13 *Attorneys for Defendant*  
14 *Denny's Corporation*

15 **UNITED STATES DISTRICT COURT**  
16 **DISTRICT OF NEVADA**

17 LADARRIUS COOLEY, individually and on  
18 behalf of all others similarly situated,

19 Plaintiff,

20 v.

21 DENNY'S CORPORATION, a Delaware  
22 company,

23 Defendant.

Case No. 2:20-cv-00255-JAD-VCF

**STIPULATION OF EXTENSION OF  
TIME TO RESPOND TO COMPLAINT**

**[SECOND REQUEST]**

24 This is the second stipulation of extension of time for Defendant Denny's Corporation to  
25 respond to Plaintiff's putative class action complaint. In support of this stipulation, Denny's  
26 states as follows:

- 27 1. Denny's was served with this putative class action complaint on February 7, 2020.
- 28 2. Denny's promptly hired outside counsel, and Denny's outside counsel promptly  
contacted Plaintiff's counsel to discuss the Complaint and other background information. During  
that telephone call, Denny's counsel indicated to Plaintiff's counsel that Denny's would be

1 investigating allegations in the Complaint, including Plaintiff's allegation that he received  
2 unsolicited text messages in violation of the Telephone Consumer Protection Act. Denny's  
3 counsel requested an extension of 30 days to respond to the Complaint so that Denny's could  
4 complete its preliminary investigation before either party devotes significant litigation expenses.  
5 Plaintiff's counsel agreed to that request.

6 3. Accordingly, the parties stipulated that Denny's shall have until up to and  
7 including March 29, 2020 to move, plead, or otherwise respond to Plaintiff's complaint and that  
8 Denny's is not waiving any defenses or jurisdictional arguments by filing this stipulation of  
9 extension of time.

10 4. The Court approved the parties' stipulation extending the time to respond to March  
11 29, 2020. (ECF No. 5).

12 5. Since that time, Denny's counsel provided a detailed accounting of the results of  
13 Denny's investigation to date and the parties have discussed a possible resolution of this matter.

14 6. At the same time, Denny's, like other many other restaurants and franchisors, is  
15 dealing with all of the issues associated with the coronavirus (COVID-19) pandemic, including  
16 "stay at home" orders and directives in multiple states across the country.  
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7. Accordingly, the parties stipulate to an additional 15-days or until April 13, 2020, for Denny's to move, plead, or otherwise respond to Plaintiff's complaint and that Denny's is not waiving any defenses, challenges to venue, or jurisdictional arguments by filing this stipulation.

Dated: March 27, 2020

By /s/ Jennifer L. Braster  
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IT IS SO ORDERED.

UNITED STATES MAGISTRATE JUDGE

DATED: 3-27-2020